IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 1ST NOVEMBER 2007 / 10TH KARTHIKA 1929

LA.App..No. 553 of 2002(C)

LAR.257/1997 of PRINCIPAL SUB COURT,PARAVUR
.....

APPELLANT: RESPONDENT

STATE OF KERALA

BY GOVERNMENT PLEADER SMT.K.R.DEEPA
SRI.RAJAN JOSEPH, ADDL.A.G.

RESPONDENTS: CLAINANT

DR.VINCENT S/O.THEKKINEDATH LAZER
PARAVOOTHARA MURI,PAVAVUR VILLAGE.

BY ADV. SRI.JAICE JACOB

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 01/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. 553 OF 2002 & Cross-objection 52/2006

Dated: November 1, 2007

JUDGMENT

Kurian Joseph, J.

This appeal is filed by the State against the judgment and decree in LAR No.257/1997 on the file of the Principal Sub Court, North Paravur. There is also a cross-objection. It is seen that the Reference Court has granted only 40% enhancement of the value fixed by the land acquisition officer. This court has already held in LAA No.1531/2000 that enhancement upto 60% is in any case reasonable. The cross-objector has claimed for enhancement upto 60%.

Therefore, we modify the judgment and decree in LAR 257/1997 and hold that the claimant shall be entitled to land value fixed at 60% over and above the value fixed by the land acquisition officer. The claimant shall also be entitled to all the consequential and eligible statutory benefits including interest on solatium.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE.

mt/-

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A. 553 OF 2002 & Cross-objection 52/2006

JUDGMENT

1.11.2007